

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

SANTANGELO SANCHEZ STEVENS, county jail inmate #427019 **PLAINTIFF**

VERSUS **CIVIL ACTION NO. 1:08-cv-213-LG-RHW**

**JACKSON COUNTY SHERIFF'S DEPARTMENT,
JACKSON COUNTY ADULT DETENTION CENTER
AND KEN BROADUS** **DEFENDANTS**

ORDER

Upon consideration of the conditions of confinement complaint filed pursuant to 42 U.S.C. § 1983 by the Plaintiff in the above entitled action, and having liberally construed said complaint, the Court concludes that additional information is needed by the Plaintiff.

The Plaintiff names Jackson County Sheriff's Department and Jackson County Adult Detention Center as Defendants. In order to maintain an action pursuant to 42 U.S.C. § 1983, the Plaintiff must allege that a person acting under color of state law deprived him of a right secured by the Constitution or other law of the United States. *West v. Atkins*, 487 U.S. 42, 48 (1988). Under state law, the Sheriff's Department and Detention Center are an extension of the county rather than a separate legal entity that may be named as a party in an action. Therefore, the Plaintiff must amend his complaint to name the proper party as Defendants instead of the Jackson County Sheriff's Department and Jackson County Adult Detention Center. Accordingly, it is hereby,

ORDERED:

1. That on or before June 25, 2008, Plaintiff shall file a written response to:

(a) specifically state if the Plaintiff is naming Jackson County as a Defendant, if so, specifically state how Jackson County violated Plaintiff's constitutional rights;

(b) specifically state how Defendant Ken Broadus violated Plaintiff's constitutional rights; and

(c) specifically state how the Plaintiff was personally affected by the Defendants' actions alleged in his complaint.

2. That failure to advise this Court of a change of address or failure to timely comply with any order of this Court will be deemed as a purposeful delay and contumacious act by the Plaintiff and will result in this cause being dismissed without further notice to the Plaintiff.

3. That the Clerk of Court is directed to mail a copy of this order to the Plaintiff at his last known address.

THIS the 11th day of June, 2008.

s/ Robert H. Walker

UNITED STATES MAGISTRATE JUDGE